

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

FEDERAL TRADE COMMISSION,  
STATE OF ARIZONA,  
STATE OF CALIFORNIA,  
DISTRICT OF COLUMBIA,  
STATE OF ILLINOIS,  
STATE OF MARYLAND,  
STATE OF NEVADA,  
STATE OF NEW MEXICO,  
STATE OF OREGON, and  
STATE OF WYOMING,

Plaintiffs,

v.

THE KROGER COMPANY and  
ALBERTSONS COMPANIES, INC.,

Defendants.

Case No.: 3:24-cv-00347-AN

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' MOTION TO STRIKE**

Upon consideration of Plaintiffs' Motion to Strike Untimely And Improper Reports of Dr. Mark Israel, it is hereby

ORDERED that the Motion to Strike is GRANTED;

FURTHER ORDERED that Dr. Israel's Surrebuttal and Second Corrected Report are STRICKEN;

FURTHER ORDERED that Dr. Israel is prohibited from testifying to opinions reflected in those reports.

[PROPOSED] ORDER GRANTING  
PLS.' MOTION TO STRIKE

SO ORDERED.

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UNITED STATES DISTRICT JUDGE

DATED: \_\_\_\_\_, 2024

[PROPOSED] ORDER GRANTING  
PLS.' MOTION TO STRIKE